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IN THE UNITED STATES PATENTS AND TRADEMARK OFFICE

K-2153

Applicant : Minoru Hiragaki
Title : FISHING GEAR
Serial No. : 10/790,193
Filed : March 2, 2004
Group Art Unit : 3643
Examiner : David J. Parsley

Hon. Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

September 18, 2006

PETITION UNDER 37 CFR 1.181

Sir:

REQUEST FOR CHANGING THE ADDRESS AND REMAILING AND RESETTING OFFICE ACTION was filed on February 17, 2006. However, the Notice of Abandonment was issued on September 12, 2006 on the reason that "The reply filed 2-17-06 did not respond to the prior art rejections set forth in the office action dated 10-3-05 with amendments and/or arguments and therefore the response is not deemed to be a bona fide attempt at a reply."

As explained in the REQUEST filed on February 17, 2006, after the present application was filed, the office name and address were change on May, 2004 based on the electronic list obtained from the Electronic Business Center of the Patent Office; on February 16, 2006, upon checking the files, it was noticed that the address of the present application was not changed and the Office Action was mailed on October 3, 2005 to the old address; thus, the address of

the present case was changed to the new address, and request for sending the Office Action to the new address and resetting the Action was filed on February 17, 2006.

However, as stated above, the request filed on February 17, 2006 was treated as the non-reply to the Action, and the present application was abandoned.

It was realized at the beginning of this year that the change of address through the electronic list provided by the Patent Office was not a formal change of address. Therefore, all the cases pending in the Patent Office were reviewed. As a result, it was noticed that the address of the present application was not formally changed, and the Office Action was issued on October 3, 2005. Since the Office Action was issued more than four months ago, the request for changing the address and re-mailing and resetting the Action was filed on February 17, 2006.

In the present application, the change of address was made though it was failed and not deemed formal. Since the first change of address was failed, the second change of address with the request for resetting the Action was filed on February 17, 2006 while the application is pending in the Patent Office. Under the circumstances, it is not fair to abandon the application on the reason that the reply did not respond to the prior art rejection.

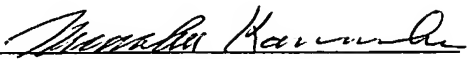
Incidentally, the undersigned agent had one more case with exactly the same situation. A copy of the request is attached herewith. In this case, the request for re-mailing and re-setting the Action was granted without abandonment.

The Notice of Abandonment is not fair decision.

Please withdraw the Notice of Abandonment and issue the Action once again.

If any fee is required in the Petition, please charge the fee to Deposit Account No. 11-0219.

Respectfully Submitted,

By 
Manabu Kanesaka
Reg. No. 31,467
Agent for Applicants

1700 Diagonal Road, Suite 310
Alexandria, VA 22314
(703) 519-9785



ser. 10/790,193

UNITED STATES PATENTS AND TRADEMARK OFFICE

D-1598

Applicant : Masanao Furukawa
Title : GAS CHROMATOGRAPH
Serial No. : 10/827,281
Filed : April 20, 2004
Group Art Unit : 3753
Examiner : Ramesh Krishnamurthy

COPY

Hon. Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

February 17, 2006

REQUEST FOR CHANGING THE ADDRESS
AND REMAILING AND RESETTING OFFICE ACTION

Sir:

The present application was filed on April 20, 2004 in the name of Kanesaka and Takeuchi at 1423 Powhatan Street, Alexandria, VA 22314. I established a new Office of Hauptman Kanesaka Berner Patent Agents LLP on May, 2004 at 1700 Diagonal Road, Alexandria, VA 22314. The firm name was changed to Kanesaka Berner and Partners Patent Agents, LLP on October 2005 at the same address, i.e. 1700 Diagonal Road, Alexandria, VA 22314.

After I moved to the new address, I asked the office manager to change the address of all the files acting as a principle agent. The office manager contacted the Electronic Business Center of the Patent Office and obtained an electronic list in which I was present on the declaration at the time of filing the application. The address of the files was changed according to the list provided by the Patent Office.

On February 16, 2006, the files before moving to the present address were checked, and it was noticed that the address of the present application was not changed and the Office Action was mailed on October 4, 2005 to the old address.

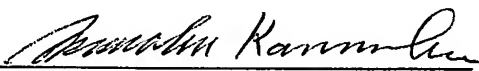
Incidentally, in checking the file by the Patent Application Information Retrieval, the Office Action mailing to Kanesaka and Takeuchi was returned to the Patent Office.

Under the circumstances, I called the Examiner and explained the situation on February 17, 2006. As a result, I was suggested to change the address of this case and ask the re-mailing of the Action to the new address.

Please send all further correspondence to:
Kanesaka Berner and Partners Patent Agents, LLP
1700 Diagonal Road, Suite 310
Alexandria, VA 22314

Please send the Office Action to the new address and reset the due date for the Action.

Respectfully Submitted,

By 
Manabu Kanesaka
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